



Department of Grants and Community Programs

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March 6, 2013, 2013

To: House Judiciary Committee
From: Shantelle Gaynor, Missoula County Department of Grants and Community Programs
Re: SB 306 sponsored by Senator Olson – Revise Partner Family Member Assault Laws

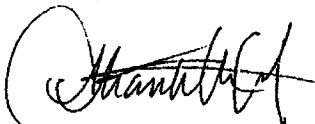
Missoula County Department of Grants and Community Programs appreciates the opportunity to be able to submit written testimony in support of SB 306. My name is Shantelle Gaynor and I am a Grants Administrator and Program Director for the Missoula County Department of Grants and Community Programs. The Crime Victim Advocate Program (CVA) is a program of our office. Established in 1985, the CVA Program is one of the oldest legal advocacy programs in Montana. Missoula's CVA Program provides free and confidential assistance to victims of relationship violence, sexual assault, stalking and other crimes by offering advocacy and resource information in civil and criminal matters. We strongly support Senate Bill 306 sponsored by Senator Olson.

SB 306 would amend the existing PFMA statute to remove the language "persons of the opposite sex". This change is vitally important.

- The CVA program serves all victims of PFMA. Some of those victims are in same-sex relationships. Our current statute effectively allows perpetrators of violence in same sex relationship go free while putting victims in danger. Our statutes must not create loopholes for perpetrators to evade being held accountable.
- The current PFMA law is unconstitutional and must be changed in order to maintain the integrity of the existing law. Defense attorneys are now using this "loophole" to claim that no abuser should be held accountable. This argument effectively eviscerates our ability to hold offenders accountable while helping victims find safety.
- Holding offenders accountable (in both same sex and opposite sex relationships) is important in Missoula and around the state. Violent spouses and partners create untold trauma in the lives of their victims and the children in their homes. Domestic and dating violence is one of the few crimes that can move from a misdemeanor to a homicide in a matter of seconds. In many relationships this violence escalates over time however. The intervention of law enforcement and the criminal justice system is sometimes the only life line a victim has. Our statutes should protect the innocent and hold the perpetrators accountable – no matter what the status of their relationship is.

Thank you for your time and attention to this important issue. I strongly urge you to vote **YES on SB 306** and move it to the House floor for consideration. I am available to provide further information if you have any questions.

Sincerely,



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